

I ORIGINAL

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

Robert Sigouin #92215-022
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JAN 30 2006

at 8 o'clock and 6 min. M
 SUE BEITIA, CLERK

UNITED STATES DISTRICT COURT DISTRICT OF HAWAII

Case # CR 05-00248 JMS.

U.S.A.	1 MANDATORY JUDICIAL NOTICE OF VINDICTIVE
plaintiff	1 PROSECUTION, VIOLATION OF SPEEDY TRIAL
vs.	1 AND PETITION FOR IMMEDIATE DISMISSAL OF
ROBERT	1 CASE # CR 05-00248 JMS. AND AFFIDAVIT
ALEXANDER	1 IN SUPPORT.
SIGOUIN	1 By Robert Sigouin
Defendant	1 (special appearance)

MANDATORY JUDICIAL NOTICE OF VINDICTIVE PROSECUTION,
 VIOLATION OF SPEEDY TRIAL AND PETITION FOR IMMEDIATE
 DISMISSAL OF CASE # CR 05-00248 JMS.

Comes now Robert Sigouin a lawful man on the land by
 "special appearance" not general. I am an interested 3rd
 party intervenor in Case/Account # CR 05-00248 JMS. I am
 accusing MARK A. INCIONG ESQ. A. U.S.A. with vindictive prose-
 cution and violation of sixth amendment speedy trial act
 of ROBERT ALEXANDER SIGOUIN for the following reasons:
 First: Colluding several times with RICHARD SKAWANA ESQ. SIGOUIN'S
 former Counsel to exclude time from ROBERT ALEXANDER
 SIGOUIN'S right to a speedy trial. From AUG. 16th 2005 to NOV 8th 2005
 at this time MR SIGOUIN had never been advised of his right
 to a speedy trial guaranteed by the SIXTH AMENDMENT TO
 THE CONSTITUTION OF THE UNITED STATES OF AMERICA.

when MARK A. INCIONG ESQ and RICHARD S. KAWANA ESQ, conspired to have time excluded from SIGOUINS SPEEDY TRIAL.

Second: From November 8th 2005 to December 13th 2005 when ROBERT ALEXANDER SIGOUIN on his own found out of the speedy trial act and objected to continuance MARK A INCIONG ESQ and RICHARD S. KAWANA ESQ. conspired again to have more time excluded from SIGOUIN'S Speedy trial. At this time MARK A. INCIONG acted like a grade school child "when SIGOUIN insisted on a speedy trial" and exclaimed quite loudly to the MAGISTRATE "Well he wants to go to jail does he well I'll put him in jail." Then while walking past SIGOUIN to leave to calm down he told SIGOUIN "You want to go to jail I'll put you in jail" as SIGOUIN looked down at the shackles on his ankles and replied "Just where do you think I am" then he left.

Third: In a letter from RICHARD S. KAWANA to ROBERT ALEXANDER SIGOUIN written NOV 8th 2005 stating "I spoke to the prosecutor, MR. INCIONG concerning the charges against you. He said that unless we are able to plea bargain the case by the Friday before the week of NOVEMBER 21st 2005 he would be filing another superseding indictment against you. First in a technical change, he would be amending the possession with intent to distribute charge to an attempt charge because when you were arrested (6months and 2 superseding indictments ago.)

you did NOT ACTUALLY HAVE POSSESSION. He also stated that he planned to indict you for an ammunition charge based your being "an unlawful user of or addicted to any controlled substance" and your possession of the ammunition in your room that they found pursuant to the search warrant. This would be an alleged violation of 18 USC 922(g)(3) and 924(a)(2) and the charge carries a maximum penalty of 10 years. The prosecutor is taking the same hard nosed attitude against you as he did against CASH.

Fourth: Every time MR. SIGOUIN gets near a trial date MARK A. INCIONG files another superseding indictment (which is handed to SIGOUIN right before entering the courtroom while handcuffed and is expected to plead before even reading it) this is only so MARK A. INCIONG and RICHARD S. KAWANA could conspire for more time and keep ROBERT ALEXANDER SIGOUIN from having a speedy trial which is his 'Constitutional' right.

Fifth: When SIGOUIN went to court on Jan 6th 2006 for a mental evaluation motion RICHARD S. KAWANA filed against SIGOUIN in another way to take more time of the speedy trial. SIGOUIN terminated KAWANA as COUNSEL and while swearing in MARK A. INCIONG E.S.Q. A.U.S.A. actually looked at the MAGISTRATE LESLIE KOBAYASHI and twirled his right index finger around his ear at her just like a 6 or 7 year old child does when they say

"cookin'" "real professional" / tell you when trying to prosecute a 57 year old father of 4 children. and then at this time getting the MAGISTRATE to exclude more time to MR. SIGOUIN'S speedy trial.

Sixth. MR. SIGOUIN has been ready to go to trial since the day he was arrested, and has stated so several times in court he has plead NOT GUILTY and still MR. INCIONG keeps changing and adding charges obviously to persecute MR SIGOUIN who has a right to a fair and speedy trial which he has not RECEIVED therefore this case MUST BE DISMISSED because of BREACH OF SPEEDY TRIAL ACT and VINDICTIVE PROSECUTION by an immature and unprofessional prosecutor MARK A. INCIONG ESA A. U.S.A. They MUST BE DISMISSED WITH PREJUDICE because MR. ROBERT A. SIGOUIN will never be able to get a fair trial.

Seventh. MR. ROBERT A. SIGOUIN is being discriminated against because he was born in CANADA he has raised 3 sons here in HAWAII and is in the process of raising a 14 year old bright wonderful daughter who loves her Father very much, his sons are all responsible adults and MR. SIGOUIN, who has admitted to drug problems has never used drugs in front of his children and has worked very hard as a ROOFER for over 30 years while his ~~EO~~ DEFENDANT KEVIN CAST has never had a job and was caught with

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heroin, ice, money and a 357 magnum pistol in his posession, when arrested and is out. ROBERT SIGOUIN will never use drugs again and is actually thankful to GOD for his prison time because he realized he doesen't ever need any drugs again and wants to dedicate his life to his family. Heck ROBERT SIGOUIN will probably be deported to CANADA anyhow which will make it very difficult on the family.

Therefore there is no way ROBERT A. SIGOUIN can ever get a Fair trial and his rights as a human being have been violated and must be released.

By Robert Sigouin
lawful man

1-9-2006 A.D.

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AFFidavit in support of MANDATORY
JUDICIAL NOTICE OF VINDICTIVE PROSECUTION, VIOLATION OF
SPEEDY TRIAL AND PETITION FOR IMMEDIATE DISMISSAL
OF CASE# CR 05-00248 JMS.

The above statements in the MANDATORY
JUDICIAL NOTICE OF VINDICTIVE PROSECUTION, VIOLATION
OF SPEEDY TRIAL AND PETITION FOR IMMEDIATE DISMISSAL
OF CASE# CR 05-00248 JMS. are all true, correct, not
misleading the truth whole truth, and nothing but the
truth to the best of my first hand knowledge. I
Robert Sigouin a lawful man and living soul do
affirm this AFFidavit with unlimited commercial liability.

Signed under penalty of perjury
before God and man.

Robert Sj

On this day the 22nd of Jan, 2006 AD, before
me personally appeared Robert Sigouin to me known to
be the person described in and who executed the
foregoing instrument, and acknowledged that he
executed the same as his free act and deed.

Witness my signature,

Martin A. Jones
Hand I Dose

Martin E. Jones